

VZCZCXRO3488
PP RUEHPA
DE RUEHUJA #1315/01 1920752
ZNY CCCCC ZZH
P 100752Z JUL 08
FM AMEMBASSY ABUJA
TO RUEHC/SECSTATE WASHDC PRIORITY 3318
INFO RUEHZK/ECOWAS COLLECTIVE
RUEHYD/AMEMBASSY YAOUNDE 0295
RUEHOS/AMCONSUL LAGOS 9558
RHMFISS/HQ USAFRICOM STUTTGART GE
RHEBAAA/DEPT OF ENERGY WASHDC
RHEHNSC/NSC WASHINGTON DC
RUEAIIA/CIA WASHINGTON DC
RUEKDIA/DIA WASHDC
RHMFISS/HQ USEUCOM VAIHINGEN GE
RUZEJAA/JAC MOLESWORTH RAF MOLESWORTH UK

C O N F I D E N T I A L SECTION 01 OF 02 ABUJA 001315

SIPDIS

STATE FOR AF/W, INR/AA
DOE FOR GEORGE PERSON

E.O. 12958: DECL: 07/09/2018

TAGS: [PGOV](#) [KDEM](#) [NI](#)

SUBJECT: NIGERIAN ELECTORAL REFORM COMMITTEE COMPLETES
PUBLIC HEARINGS

REF: A. LAGOS 235
[1](#)B. ABUJA 951

Classified By: Political Counselor Walter Pflaumer for reasons 1.4. (b
& d).

[1](#)1. (C) SUMMARY: Nigeria's Electoral Reform Committee (ERC) completed its public hearings on June 27, 2008. The ERC visited 14 major cities in all six of Nigeria's geo-political zones to receive recommendations from the general public, governments, political parties, electoral commissions, security agencies, civil society groups, women's groups, and the media. Poloff and PolFSN attended hearings held in Kano on June 20-21 and in Abuja on June 25. Four themes emerged from the numerous recommendations: political party reform, reforming the voting process, independence of the Independent National Electoral Commission (INEC), and litigation of contested elections and offenses. The hearings provided Nigerians an opportunity to voice their concerns publicly, but we noted that the concerns have not changed from those frequently voiced prior to the 2007 elections. To date, very little concrete action is evident, and there are serious questions about how interested the GON is in meaningful electoral reform. END SUMMARY.

[1](#)2. (SBU) President Yar'Adua's Electoral Reform Committee wrapped up its public hearing agenda with four days of hearings in Abuja. The political party and civil society presenters in Kano and Abuja appeared well-prepared to deliver their recommendations. The hearings in Kano were well attended, with up to one thousand people gathered, at times making the meeting standing room only. Kano is known to be the hub of politics in the North. Abuja, however, had a smaller audience of approximately one hundred people, including the presenters and journalists.

POLITICAL PARTY REFORM

[1](#)3. (SBU) Although political parties and civil society groups gave differing proposals, most deal with three recommendations: (1) allow independent candidates, (2) limit the number of political parties, and, conversely, (3) retain an unlimited number of political parties. The Emir of Gumel, the Jigawa State branch of the Democratic Peoples Party (DPP), the Nigerian Bar Association (NBA) Jigawa Chapter, the Joint National Association of Persons with disabilities, and the Coalition of Women Groups in Nigeria all called for independent, or non-party affiliated, candidates to be

allowed. The National Chapter of the NBA and the Abuja branch of the All Nigeria Peoples Party (ANPP) recommended reducing the overall number of parties by requiring them to win a minimum percentage of the vote in order to win seats. On the other hand, the Kano State branch of the ANPP supported the current system of not limiting the number of parties (there are over 50). Likewise the National Chairman of the All Progressives Grand Alliance (APGA), Chief Victor 1C. Umeh, expressed strong opposition to limiting political parties, noting that the world's most successful democracies put no limit on the number of parties.

THE VOTING PROCESS

14. (SBU) Recommendations regarding the voting process centered on voter education, polling station security, and ballots. As was the case in hearings further south (see Ref A), northern organizations favored an "open ballot" system, in which voters queue behind a poster of their preferred candidate (the system used in the later-cancelled 1993 election, considered by most observers Nigeria's most honest) to prevent manipulation. The Kano State branch of the ruling Peoples Democratic Party (PDP) urged the ERC to consider electronic voting machines to reduce electoral fraud. (COMMENT: INEC wasted much time prior to the 2007 elections in attempts to obtain such machines. END COMMENT.) In general, organizations agreed that polling stations require improved staffing, security, and access for women and people with disabilities.

INEC

ABUJA 00001315 002 OF 002

15. (SBU) There was widespread agreement that the so-called Independent National Electoral Commission (INEC) is not independent since its members are chosen by the President, who also controls its budget. The majority of organizations proposed a review of INEC funding and recommended that INEC members be selected by the legislature, and include representatives from civil society groups and professional associations, such as the Nigeria Labour Congress (similar to proposals cited in Ref A).

LITIGATION

16. (SBU) Nigerians across the board voiced dissatisfaction with the current process by which tribunals of judges review contested elections, and the lack of prosecutions of individuals for electoral offenses. (FYI: Despite electoral observers' almost universal condemnation of the 2007 elections, no one has been prosecuted for election-related rigging, and the members of INEC who were responsible remain in office. END FYI.) Of particular note, the Jigawa State INEC recommended that cases be heard within a limited time frame and emphasized the importance of completing litigation prior to officials assuming office. The NBA also called for a shift of the burden of proof away from the complainant, and called for the prosecution of electoral cases to be handled by the Attorney General.

POLITICAL WILL REMAINS THE KEY

17. (C) COMMENT. The ERC hearings were the first public glimpse at the Committee's activities. That said, it is not clear how the public's input will affect the ERC's final recommendations. That this stage in the process was only completed at the end of June suggests that the ERC will not meet its August deadline. (FYI: In a July 9 conversation with Poloff, ERC Chair Justice Uwais said the Committee would be asking for an extension of the deadline until December to enable it to review the over 800 memoranda it has received. END FYI.) In addition, we believe the ERC will be reluctant to release its recommendations prior to a Supreme Court decision on the challenge to last year's Presidential election, lest its recommendations be used to bolster the

opposition's calls for it to be annulled.

18. (C) COMMENT CONTINUED. The hearings provided Nigerians an opportunity to voice their concerns publicly and share their recommendations; however, we note that none of the concerns are new. NGOs and the international community expressed the same misgivings in the months prior to the 2007 elections. Despite the active participation of the public in the hearings, which has at least given stakeholders a say, many Nigerians remain skeptical that the ERC's deliberations will lead to meaningful electoral reform unless they are taken seriously and implemented. END COMMENT.
SANDERS